



# Committee On Finance

Max Baucus, Ranking Member

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Contact: Carol Guthrie  
202-224-4515

## **BAUCUS PRESSES CASE WITH JAPAN – IN JAPANESE – THAT U.S. BEEF IS SAFE**

*Washington, DC* – U.S. Senator Max Baucus (D-Mont.), ranking Democrat on the Senate Finance Committee, today submitted written comments in Japanese to Japan's Food Safety Commission (FSC) urging Japan to lift its ban on U.S. beef.

Japan banned U.S. beef in December 2003 after a Canadian-born dairy cow in Washington tested positive for bovine spongiform encephalopathy, or BSE. In October of this year, the FSC – which is responsible for evaluating the safety of U.S. beef and recommending whether to continue the ban – released a draft report that U.S. and Japanese beef carry a similar risk of BSE infection. The report is open for a 4-week public comment period.

“It is important that Japan's Food Safety Commission hear how important it is to producers in Montana and across the country that Japan lift its ban on U.S. beef imports,” Baucus said. “Two years without being able to export to Japan is two years too long in my book.”

Last year, Baucus traveled to Japan to meet with Japan's trade and agriculture ministers to argue for lifting the ban. Baucus also brought senior officials from Japan and elsewhere to Montana – and fed them Montana beef on a Montana ranch – to encourage them to lift the ban.

The FSC public comment period ends today. A decision by the Japanese government on whether to lift the ban is expected shortly.

“The ban is not justified by sound science and should be lifted right away,” Baucus added. “As I said in my comments to the FSC, I look forward to eating Montana beef – the safest, highest quality beef in the world – on my next visit to Japan.”

An English-version text of Baucus's submitted comments follows:

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### **Comments Regarding U.S. and Canadian Beef Submitted by U.S. Senator Max Baucus (D-Mont.)**

Thank you for the opportunity to submit comments to the recently concluded report of Japan's Food Safety Commission (FSC) on the safety of U.S. beef. I commend the Japanese Government's determination to ensure that its consultation process on this issue is as transparent as possible.

I am the senior Senator from the state of Montana and the senior Democratic member of the Senate Finance Committee, which has oversight over U.S. trade policy. I have long been, and remain, a friend of Japan. In over 30 years in Congress, I have worked hard to strengthen U.S.-Japan trade and economic ties and to ensure that our relationship continues to grow and prosper.

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Japan's two-year ban on U.S. beef has had a profoundly negative impact on the relationship between the United States and Japan. Of principal concern to me and my constituents is that the import ban – which is now almost two years old – is not based on internationally accepted standards or justified by science.

The United States produces beef for export that conforms with the recently revised BSE guidelines of the World Organization of Animal Health (OIE). Those guidelines ensure the safety of beef exports in cattle under 30 months of age, regardless of national BSE risk status, provided the meat complies with risk mitigation measures, such as the removal of Specified Risk Materials (SRMs) in a manner that avoids contamination.

As you know, the United States Government has taken a number of important steps to prevent the spread of BSE and to contain its risk. For example:

- The U.S. Department of Agriculture (USDA) has imposed a series of restrictive import controls on live ruminants and their products.
- USDA has also taken action to ensure that the tissues (SRMs) that might potentially transmit BSE infectivity have been banned from the human food chain. The removal of SRMs is the single most important BSE-related action that can be taken to protect public health.
- USDA has also made sweeping changes in cattle slaughter and beef processing procedures that further reduce any risk to public health.
- In order to prevent the spread of BSE through the consumption of BSE-infected tissue, the U.S. Food and Drug Administration (FDA) has imposed feed controls. Specifically, FDA prohibits the use of most mammalian protein in the manufacture of animal feed intended for cows and other ruminants. FDA has recently published a proposal to strengthen these rules.
- And finally, USDA has implemented an intensive national surveillance program for BSE. That program attempts to test as many cattle from the high-risk population as possible.

Given the overwhelming evidence supporting the safety of U.S. beef, Japan's ban raises questions about Japan's compliance with its obligations in the World Trade Organization (WTO). Article 2.2 of the WTO Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures requires WTO Members to ensure that their SPS measures are applied "only the extent necessary to protect human, animal or plant life and health and is not maintained without sufficient scientific evidence..."

I was pleased to learn in the report of the conclusion that U.S. and Japanese beef carry a similar risk level of Bovine Spongiform Encephalopathy (BSE). I urge the FSC to adopt this conclusion without delay so that Japan may lift the beef ban as quickly as possible.

I would also encourage the Food Safety Commission to engage in future work to permit, in accordance with OIE guidelines, beef exports of cattle *under 30 months of age*, whose brains, spinal cord tissue, and other SRMs have been removed. I look forward to participating in that process as well.

Thank you for this opportunity to provide comments on this important matter. I look forward to the opportunity of eating Montana beef – the safest, highest quality beef in the world – on my next visit to Japan.

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